GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD – Allegation of not executed works as per quality control norms and procedures recorded in M.Books for the works "Construction of internal CC Roads at Kamireddipadu (V) in Ananthasagaram (M), SPSR Nellore District - Disciplinary proceedings under Rule 20 of APCS(CC&A) Rules, 1991 against Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.895.

Dated: 10-11-2022.
Read the following:-

1) High Court of A.P., W.P.No.29833/2022 filed by Sri S. Subba Rao.
2) From Govt. Pleader for PR & RD, HC of AP, Amaravathi
Lr.WPNo.29833/2022, KKV/PR&RD/High Court, dt:07.11.2022.

<o>

ORDER:

It is proposed to hold an inquiry against Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District is invited to Rule-24 of the APCS (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

(Contd..Page-2)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District
(through the ENC, PR, Vijayawada).
The ENC, PR, Vijayawada.
(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The PR & RD (Estt-I) Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District.

-:0:-

CHARGE:

That, Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District has not executed works as per quality control norms and procedures recorded in M.Books for the works "Construction of internal CC Roads at Kamireddipadu (V) in Ananthasagaram (M), SPSR Nellore District. As a result QC Inspection team dated:18.05.2020 proposed recovery of Rs.7,71,839/- towards poor comprehensive strength of CC pavement, no balance amount is to be paid to the Writ Petitioner after due statuatory deductions and causing legal complications before the Hon'ble High Court of A.P., in W.P.No.29833/2022.

2. By his above mentioned act, Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District failed to discharge his duties, exhibit lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) and 3 (2) of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District.

Basis:

Whereas, the Deputy Executive Engineer, RWS&S, V&QC Sub-Division, Nellore have verified the works "Construction of internal CC Roads at Kamireddipadu (V) in Ananthasagaram (M), SPSR Nellore District. On dated:18.05.2020 and proposed recovery of Rs.7,71,839/- towards poor comprehensive strength of CC Pavement. The QC Team observed on the following:-

1. In this inspection M20 Grade concrete was inspected. The Physical measurements of CC Pavements are verified and observed short fall in thickness in cores extracted.
2. The Compressive strengths of M20 Grade CC Cores are verified and they are not satisfied with the Required parameters as per code.
3. Since the CC Pavement is already executed over the Base Layers (such as embankment, gravel subbase/Stone dust), it was not possible to verify the thickness of the same.
4. The CC Pavement Executed is not Satisfying the Compressive strength parameters. Hence the CC Pavement is rejected.

Thereby, unnecessary complications and legal issues have been arouse and huge embarrasment was created in dealing with legal issues on payments. The concerned AEE, DEE is responsible for executing and recording the M.Books and check measuring the said poor quality works.

2. Thus the Government Servant Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District failed to discharge his legitimate duties properly and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District ARE PROPOSED TO BE SUSTAINED:

-:0:-

QC Inspection Report, dated:18.05.2020.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST Sri R. Tirumalaiah, Former AE, MPP, A. Sagaram, SPSR Nellore District IS PROPOSED TO BE SUSTAINED:

-:0:-

- NIL -

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER